

Passed:

**ORDINANCE 98-38**

**TO AMEND THE BLOOMINGTON ZONING MAPS FROM  
IL/IS & PLANNED UNIT DEVELOPMENT TO PLANNED UNIT DEVELOPMENT  
AND TO APPROVE THE PRELIMINARY PLAN**

**Re: 1300 South Rogers Street; 300, 310, & 318 West Grimes; and, 1525 South Rogers Street  
(City of Bloomington, Petitioner)**

WHEREAS, on May 1, 1995 the Common Council adopted Ordinance 95-21 which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning," including the incorporated zoning maps, and Title 21 entitled "Land Use and Development;" and

WHEREAS, the Plan Commission has considered this case, PUD-41-98, and has recommended that the petitioner, the City of Bloomington, be granted a rezone of the property located at 1300 South Rogers Street; 300, 310 & 318 West Grimes; and, 1525 South Rogers Street from IL/IS and PUD to PUD and also receive preliminary plan approval;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Through the authority of IC 36-7-4 and pursuant to Chapter 20.05.09 of the Bloomington Municipal Code, that the property described below be rezoned from IL/IS and PUD to PUD and the accompanying preliminary plan be approved. The property is more commonly known as 1300 South Rogers Street; 300, 310 & 318 West Grimes; and, 1525 South Rogers Street, and is more particularly described as follows:

Thomson Parcel - Schneider Survey 189.59 Acres

Part of the Southwest and Southeast Quarters of Section 5, Township 8 North, Range 1 West, being Seminary Lots 56 and 57, part of Seminary Lots 42, 54, and 55 and part of the 16.5 foot vacated alley lying south of Lots 54 and 57 as recorded in Deed Book A, Pages 54 and 55 in the Office of the Recorder of Monroe County, Indiana;

Also, part of the Northwest and Northeast Quarters of Section 8, Township 8 North, Range 1 West,

Also, Seminary Lots 169 and 172, part of Seminary Lots 168 and 177, the 16.5 foot vacated alley lying south of Lots 167 and 168, the 16.5 foot vacated alley lying west of Lots 170 and 171, and part of the 16.5 foot vacated alley lying west of Lot 167 as recorded in Deed Record K, Page 1 in said Recorder's Office; all being described as follows:

Commencing at an 8 inch x 8 inch limestone monument at the southwest corner of the Northwest Quarter of said Section 8; thence on an assumed bearing of North 01 degrees 50 minutes 26 seconds West along the west line thereof a distance of 609.78 feet to a 5/8" rebar with a yellow cap marked "Schneider Engineering Corp." (hereinafter referred to as "capped rebar"), said point being on the south line of a 150 foot wide electric easement (Deed Record 120, Page 600) and said point being the Point of Beginning; thence continuing North 01 degrees 50 minutes 26 seconds West along said west line a distance of 710.30 feet to a 8 inch x 8 inch limestone monument at the northwest corner of the south half of said northwest quarter; thence South 88 degrees 36 minutes 44 seconds East along the north line thereof a distance of 1163.07 feet to a 8 inch x 8 inch limestone monument; thence North 00 degrees 59 minutes 12 seconds West a distance of 1322.84 feet to an 8 inch x 8 inch limestone monument on the north line of said northwest quarter; thence South 88 degrees 21 minutes 18 seconds East along the north line thereof a distance of 12.75 feet to a capped rebar a distance of 127.00 feet west of the southeast corner of Seminary Lot 177; thence North 02 degrees 45 minutes 14 seconds West parallel with the east line of said Seminary Lot 177 a distance of 876.65 feet to a capped rebar on the north line of Lot 177; thence South 88 degrees 21 minutes 18 seconds East along said north line and the projection thereof a distance of 135.25 feet to a capped rebar in the centerline of a vacated 16.5 foot alley; thence North 02 degrees 45 minutes 14 seconds West along the alley centerline a distance of 110.93 feet to a capped rebar distant 94.38 feet north of the south line of Seminary Lot 167; thence South 87 degrees 58 minutes 37 seconds East parallel with the south line of Seminary Lots 167 and 168 a distance of 1309.85 feet to a capped rebar distant 16.5 feet west of the west

line of Seminary Lot 57, said point being in the center of the vacated 33 foot right-of-way of Walker Street; thence North 02 degrees 45 minutes 14 seconds West along said center line a distance of 783.19 feet to a railroad spike on the westerly projection of the north line of Seminary Lots 57 and 58; thence South 89 degrees 52 minutes 45 seconds East along said projection and along said lot lines a distance of 700.10 feet to a railroad spike on the westerly 50 foot half right-of-way line of the Indiana Railroad, said point being on a non-tangent curve having a radius of 2814.79 feet, the radius point of which bears South 52 degrees 38 minutes 14 seconds West; ; thence southeasterly along said curve and right-of-way line an arc distance of 388.50 feet to a point which bears North 60 degrees 32 minutes 43 seconds East from said radius point; thence South 29 degrees 27 minutes 17 seconds East along said westerly right-of-way line a distance of 1870.49 feet to a P.K. Nail at a point distant 139.5 feet south of the south line of the Southeast Quarter of the aforesaid Section 5; thence North 88 degrees 12 minutes 47 seconds West parallel with said south line a distance of 141.69 feet (1/4 inch iron rod 1.0 feet south and .09 feet west of corner); thence South 02 degrees 07 minutes 52 seconds West a distance of 111.43 feet (1/4 inch iron rod 1.2 feet south and 0.5 feet west of corner); thence North 67 degrees 47 minutes 46 seconds West a distance of 319.41 feet to a point 139.5 feet south of the south line of the Southeast Quarter of said Section 5 (rebar with cap 0.2 feet north and 0.8 feet west of corner); thence North 88 degrees 12 minutes 47 seconds West parallel with the south line of said southeast quarter a distance of 545.03 feet (Rebar with cap 0.8 feet north and 0.2 feet east of corner and one inch iron rod 2.6 feet north and 2.9 feet east of corner); thence South 02 degrees 08 minutes 49 seconds East a distance of 965.42 feet (rebar with cap 0.5 feet south and 0.1 feet west of corner); thence South 87 degrees 44 minutes 30 seconds East a distance of 844.50 feet (8 inch by 8 inch limestone 0.8 feet south and 0.2 feet east of corner); thence North 02 degrees 11 minutes 31 seconds West a distance of 82.90 feet (P.K. Nail 0.4 feet south of corner); thence South 88 degrees 20 minutes 08 seconds East a distance of 269.94 feet to a P.K. Nail in the centerline of Rogers Street; thence South 00 degrees 36 minutes 21 seconds West along said centerline a distance of 147.18 feet to a P.K. Nail; thence North 89 degrees 12 minutes 26 seconds West a distance of 1175.19 feet to a capped rebar; thence South 00 degrees 57 minutes 13 seconds East a distance of 362.94 feet to an 8 inch x 8 inch limestone monument; thence North 89 degrees 12 minutes 26 seconds West a distance of 1129.97 feet to a capped rebar on the southerly line of the aforesaid 150 foot wide electric easement; thence South 71 degrees 59 minutes 20 seconds West along the south line of said electric easement a distance of 1373.20 feet to a capped rebar at an angle point in the south line of said easement; thence North 88 degrees 15 minutes 40 seconds West along the south line of said electric easement a distance of 877.13 feet to the Point of Beginning. Containing 189.59 acres, more or less.

Thomson Parcel -Schneider Survey 3.33 acres

Part of the Southeast Quarter of section 5, Township 8 North Range 1 West, Monroe County, Indiana being part of Seminary Lot 40 as recorded in Deed Book A, Pages 54 and 55 in the Office of the Recorder of Monroe County and Lots 73 and 74 and the vacated alley between Lots 73 and 74 in Matthew M. Campbell's Addition to Bloomington all being described as follows:

Beginning at the northeast corner of said Lot 73 (one inch iron pipe 2.1 feet north and 0.5 feet west of corner and 3/4 inch iron pipe 6 inches down, 0.2 feet north and 2.9 feet west of corner); thence on an assumed bearing South 00 degrees 16 minutes 42 seconds West along the east line thereof and along the east line of said Seminary Lot 40 a distance of 258.00 feet to the south line of Lot 40 (P.K. Nail 0.3 feet south and 0.6 feet west of corner); thence North 89 degrees 46 minutes 25 seconds West along the south line of said Lot 40 a distance of 640.00 feet to the east 20 foot half right-of-way line of Rogers Street (drill hole 0.3 feet south and 0.1 feet west of corner); thence North 00 degrees 16 minutes 42 seconds East along said east right-of-way line a distance of 198.00 feet to a P.K. Nail at the southwest corner of Lot 76 in the aforesaid Campbell's Addition; thence South 89 degrees 46 minutes 25 seconds East along the south line of Lots 76 and 75 in said Campbell's Addition a distance of 336.00 feet to the southwest corner of the aforesaid Lot 74 (1/4 inch iron rod 1.7 feet north and 0.6 feet west of corner); thence North 00 degrees 16 minutes 42 seconds East along the west line thereof a distance of 60.00 feet to the northwest corner of Lot 74 (1/4 inch iron rod 1.7 feet north and 0.3 feet west of corner); thence South 89 degrees 46 minutes 25 seconds East along the north line of Lots 74 and 73 a distance of 304.00 feet to the point of Beginning. Containing 3.33 acres, more or less.

Thomson Parcel -Schneider Survey 12.62 acres

Part of the Northeast Quarter of Section 8, Township 8 North, Range 1 West Monroe County, Indiana and a part of the Southeast Quarter of Section 5, Township 8 North, Range 1 West, Monroe County, Indiana, being part of Seminary Lots 42, 43, 54 and 55 as recorded in Deed Book A, Pages 54 and 55 in the Office of the Recorder of Monroe County; Lots 21 through 30 of Duncan Subdivision recorded in Plat Book 3, Page 85; Lots 1 through 3 of Duncan Addition recorded in Plat Book 3, Page 44; the vacated alley lying west of Lots 1, 2, and 3 in said Duncan Addition; and the vacated alley lying south of Lot 1 in Duncan Addition and lying south of Lots 21 through 30 in Duncan Subdivision; all being described as follows: Beginning at a concrete nail at the northeast corner of said Lot 3 in Duncan Addition; thence on an assumed bearing South 00 degrees 16 minutes 42 seconds West along the west 20 foot half right-of-way line of Rogers Street a distance of 1406.13 feet to a P.K. Nail on the easterly 50 foot half right-of-way line of the Indiana Railroad; thence North 29 degrees 27 minutes 17 seconds West along said easterly right-of-way line a distance of 63.07 feet; thence North 89 degrees 38 minutes 57 seconds West a distance of 45.16 feet; thence North 21 degrees 17 minutes 23 seconds West a distance of 131.29 feet; thence North 89 degrees 38 minutes 57 seconds West a distance of 50.62 feet; thence North 00 degrees 48 minutes 16 seconds West a distance of 134.43 feet to the aforesaid easterly 50 foot right-of-way line; thence North 29 degrees 27 minutes 17 seconds West along said easterly line a distance of 1025.53 feet to a 5/8 inch rebar with a yellow cap marked "Schneider Engr. Corp." on the north line of said Seminary Lot 55; thence South 89 degrees 36 minutes 54 sections East along said north line and along the north line of said Seminary Lot 42 a distance of 62.49 feet to a P.K. Nail over railroad spike at the southerly extension of the west line of said Lot 30 in Duncan Subdivision; thence north 00 degrees 13 minutes 17 seconds East along said extension and along said west lot line a distance of 205. 50 feet to a P.K. Nail over railroad spike at the northwest corner of Lot 30; thence South 89 degrees 36 minutes 54 seconds East along the north line of Lots 21 through 30 of said Duncan Subdivision and along the north line of Lot 3 of Duncan Addition a distance of 624.20 feet to the Point of Beginning. Containing 12.62 acres, more or less.

Indiana Warehouse, Crosley South Rogers Street Corporation - Tapp Survey 8.56 Acres

A part of the Northeast Quarter of section 8, Township 8 North, Range 1 West, Monroe County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of said Northeast quarter marked by a 5/8-inch rebar with yellow cap; thence South 01 degrees 05 minutes 33 seconds East (basis of bearing per Bledsoe Tapp & Riggert, Inc. survey dated March 18, 1998, Job #2369) along the East line of said Northeast quarter 220.50 feet; thence leaving said East line South 89 degrees 32 minutes 02 seconds West, a distance of 7.00 feet to the point of beginning marked by a 5/8 inch rebar with yellow cap on the westerly right-of-way of Monon Railroad; thence South 01 degrees 05 minutes 33 seconds East along said railroad right-of-way, 580.00 feet to a 5/8 inch rebar with yellow cap; thence North 89 degrees 32 minutes 02 seconds East along said railroad right-of-way, 7.00 to a 5/8 inch rebar with yellow cap; thence South 01 degree 05 minutes 33 seconds East along said railroad right-of-way, 225.58 feet to a 5/8 inch rebar with yellow cap; thence leaving said right-of-way South 89 degrees 32 minutes 02 seconds West, a distance of 218.90 feet to a 5/8 inch rebar with yellow cap on the easterly railroad right-of-way of Bloomington Southern Railroad Company; thence North 31 degrees 40 minutes 49 seconds West along said easterly right-of-way, 183.70 feet to a 5/8 inch rebar with yellow cap; thence South 58 degrees 19 minutes 11 seconds West along said right-of-way, 15.00 feet to a 5/8 inch rebar with yellow cap; thence North 31 degrees 40 minutes 49 seconds West along said right-of-way 500.00 feet to a 5/8 inch rebar with yellow cap; thence North 58 degrees 19 minutes 11 seconds East along said right-of-way 15.00 feet to a 5/8 inch rebar with yellow cap; thence North 31 degrees 40 minutes 49 seconds West along said right-of-way, 250.00 feet to a P.K. Nail in the centerline of Rogers Street; thence North 02 degrees 01 minutes 28 seconds West along said centerline, 7.00 feet to a P.K. Nail; thence North 89 degrees 32 minutes 02 seconds East, a distance of 687.16 feet to the Point of Beginning, containing 8.56 acres, more or less.

Grimes Warehouse Lot #53 Dodds Addition 4.70 Acres

Lot #53 of Dodds Addition, Monroe County, Indiana as recorded in Plat Cabinet B, Envelope

21 in the office of the Monroe County Recorder, containing 4.70 acres.

Lot #1 Libey Subdivision .70 acres


Lot #1 of the Libey Subdivision, Monroe County, Indiana as recorded in Plat Cabinet C Envelope 245 in the Office of the Monroe County Recorder, containing .70 acres.

Subject to all road rights-of-way.

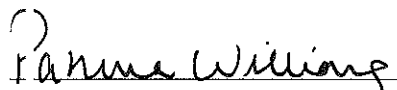
SECTION II. The Preliminary Plan shall be attached hereto and made a part thereof.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

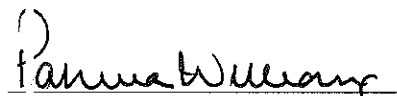
PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 16<sup>th</sup> day of September, 1998.

  
TIMOTHY MAYER, President  
Bloomington Common Council

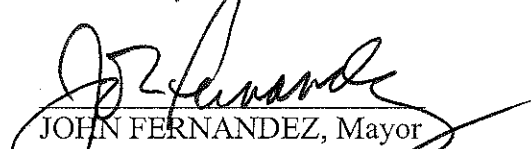
ATTEST:

  
PATRICIA WILLIAMS, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 17<sup>th</sup> day of September, 1998.

  
PATRICIA WILLIAMS, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this 17 day of September, 1998.

  
JOHN FERNANDEZ, Mayor  
City of Bloomington

#### SYNOPSIS

This ordinance was initiated by the City of Bloomington and rezones approximately 222 acres of land from IL/IS and PUD to PUD. The PUD is intended to establish a well planned industrial park with five separate parcels. These parcels may contain a limited amount of compatible, non-industrial uses.

Signed copies to:  
Planning           BEDC  
Petitioner  
Mayor's Office